



**THE CITY OF WEST JORDAN
COMMITTEE OF THE WHOLE
March 20, 2024**

8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

Zoom Webinar ID: 880 5097 9443 Password: 8000 [Click Here to Join](#)

Members of the Council not attending in person may participate electronically using the Zoom information below. Interested parties are encouraged to attend the meeting in person. Those unable to attend in person may participate electronically via Zoom Webinar when called upon by the Council Chair in one of the following ways:

- *In your web browser, go to join.zoom.us and enter the **Webinar Meeting ID: 880 5097 9443** and **Password: 8000***
- *By phone dial one of the following numbers: 346-248-7799 or 312-626-6799 and enter the **Webinar Meeting ID: 880 5097 9443** and **Password: 8000***
- *View the meeting on the [City of West Jordan's YouTube Channel](#)*

To view agendas and packet information, please visit <https://westjordan.primegov.com/public/portal>

WORK SESSION 6:00 pm

1. CALL TO ORDER

2. DISCUSSION TOPICS

- a. Discussion of policy related to West Jordan City Code Title 7 Motor Vehicles & Traffic regarding reclassifying parking violations from a criminal offense to a civil violation
- b. Discussion of proposed Title 13 amendments, specifically 13-2-3: Definitions.
- c. Discussion of Station Area Plan – 5600 West Old Bingham Highway
- d. Discussion regarding possible amendments to West Jordan City Code Section 8-5-2 regarding the costs of sidewalk, curb, and gutter maintenance, repair, and replacement in the city.

3. ADJOURN

UPCOMING CITY COUNCIL MEETINGS

- Wednesday, March 27, 2024 – Regular City Council Meeting – 6:00p
- Wednesday, April 10, 2024 – Regular City Council Meeting – 6:00p
- Wednesday, April 24, 2024 – Regular City Council Meeting – 6:00p

Interested parties may contact the Council PRIOR to the meeting in one of the following ways: (your comment will not be part of the meeting but will be provided to all members of the Council)

- Call the 24-hour Public Comment Line PRIOR to the meeting and leave a message: **(801) 569-5052**. Please include your name and phone number.
- Send an email to councilcomments@westjordan.utah.gov. Please include your name and phone number.

You can follow the City Council on Facebook @WestJordanCityCouncil

In accordance with the Americans with Disabilities Act, the City of West Jordan will make reasonable accommodations for participation in the meeting. Request for assistance can be made by contacting the West Jordan City Council Office at 801-569-5017, providing at least three working days' advance notice of the meeting.

ELECTRONIC PARTICIPATION

One or more council members may participate electronically in this meeting using online video conferencing technology per Utah Code (§52-4-207) and West Jordan City Code 1-13-1-E. Participation will be broadcast and amplified so all present in the meeting will be able to hear or see the communication.

INTELLECTUAL PROPERTY PERMISSION NOTICE

By attending this meeting/event, you consent to the use of your photograph, voice, likeness, and image in broadcasts of this meeting/event, and in subsequent productions drawn from video or audio recordings of this meeting/event, in the sole and absolute discretion of the City of West Jordan. The city retains copyright for all video and audio recordings. Video and audio recordings may not be modified, manipulated, or distributed in any way without the express written consent of the City Administrator.

CERTIFICATE OF POSTING

I certify that the foregoing agenda was posted at the principal office of the public body, on the Utah Public Notice website <https://www.utah.gov/pmn/>, on West Jordan City's website <https://westjordan.primegov.com/public/portal>, and notification was sent to the Salt Lake Tribune, Deseret News, and West Jordan Journal.

Please note: agenda items are subject to change and may be reordered or tabled in order to accommodate the needs of the City Council, staff, and the public.

Posted and dated March 14, 2024 Cindy M. Quick, MMC, Council Office Clerk



REQUEST FOR COUNCIL ACTION

Action: Request feedback from Council

Meeting Date Requested : 03/20/2024

Presenter: Council Member Green/ Whitelock

Deadline of item :

Applicant:

Department Sponsor: Council Office

Agenda Type: DISCUSSION TOPICS

Presentation Time: 30 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Discussion of policy related to West Jordan City Code Title 7 Motor Vehicles & Traffic regarding reclassifying parking violations from a criminal offense to a civil violation.

2. EXECUTIVE SUMMARY

- West Jordan City receives many complaints every year regarding the lack of parking enforcement.
- Parking enforcement is currently a criminal offense and requires a sworn police officer to issue the citation and with competing priorities of numerous calls.
- A change to a civil violation and using a civil enforcement process (Using an administrative process) would allow non-sworn officers to patrol and issue citations.
- Using non-sworn officers would allow the Police Department to better enforce parking and snow issues at cross walks through the use of Community Service Officers, Temporary/Seasonal Community Service Officers, Reserve Officers, etc. These types of employees are generally less expensive (can be part-time) but would add an additional set of eyes in neighborhoods as they patrolled the neighborhoods of West Jordan.
- The proposal adds West Jordan City Code 7-3-12 and makes parking a civil violation.
- While working on this ordinance we discovered that most of the ordinance has not been update since at least 2001 (Couple of Minor amendments in 2010 and 2020). This also cleans up and consolidates parking issue in Title 7 Chapter 4 on the parking of trucks.

In order to facilitate and focus discussion the sponsors have created a draft ordinance to review and discuss policy implications or policy direction of the council.

3. TIME SENSITIVITY / URGENCY

There is no time urgency but depending on enactment and potential budget amendments.

4. FISCAL NOTE

There is no cost to amend the ordinance. The fiscal impact would be determined at a later date depending on how the mayor intends to implement the policy change. Some of these expenses may be offset by revenue from parking fines. There would be a cost to a hearing officer, but that employee could also be part-time/contract.

5. MOTION RECOMMENDED

Move to bring back draft ordinance as modified in discussions back to Council business meeting in final version for passage.

Committee of the Whole Meeting

Council Staff Review



Item Name: Parking Violations – Criminal Offense to Civil Violation

Department: City Council Office

Action Needed: Discussion item; input requested from council

EXECUTIVE SUMMARY

As a result of concerns regarding lack of parking enforcement, the council is asked to provide input on changing parking violations from a criminal offense to a civil violation.

BACKGROUND AND TIMELINE

This ordinance had amendments in 2001, minor adjustments in 2010 and 2020, but otherwise has not been a relevant topic among council in recent history.

COUNCIL OFFICE ANALYSIS

Proposed changes have been drafted by Councilmember Green, and are summarized below (not including minor grammatical adjustments):

- Lines 1 -27: Various adjustments section names and numbering (which are reflected in the rest of the document).
- Lines 30-36: revised verbiage, adding a specification of parking lots, private alleys, or private streets.
- Lines 37-49: revised verbiage to focus on a “registered owner”.
- Lines 50-60: section rewritten with specific parking restrictions.
- Lines 61-160: many revisions and omissions in further defining prohibited parking.
- Lines 161-181: section revised to better clarify additional parking regulations.
- Lines 182-210: section omitted.
- Lines 211-267: sections simplified, several sentences omitted for clarity.
- Lines 267-277: section revised and amended, addressing penalties.

Parking violations have been “criminal” since at least 1993, per our city recorders office.

Typically, WJPD prioritizes responses to parking violations at the request of the fire department or snow plows; most others are of very low priority, given other potential response needs.

Judge Kunz and Chief Wallentine will be in attendance to address concerns and help answer questions.

TRADEOFFS & ALTERNATIVES

N/A

CHAPTER 3
STOPPING, STANDING AND PARKING

SECTION:

7-3-1: Title

7-3-2: Scope

7-3-3: Owner Responsible

7-3-4: Prohibited Parking

7-3-5: Additional Parking Regulations

7-3-6: Illegally Parked Vehicle To Be Moved Or Impounded

7-3-7: Parking Regulations Applicable To Public School Grounds

7-3-8: Prohibited Parking Of Recreational Vehicles On Street

7-3-9: Prohibited Parking Of Vehicles Leaking Fluids

7-3-10: Prohibited Parking For Snow Removal

7-3-11: Penalty

7-3-1: TITLE:

This chapter shall be known as the CITY OF WEST JORDAN PARKING CODE. (2001 Code § 86-3-101)

7-3-2: SCOPE:

This chapter shall govern the parking, standing and stopping of vehicles upon the public roadways, upon other publicly owned properties, and upon private property upon which the public is generally invited for the purpose of vehicular parking. (2001 Code § 86-3-102)

7-3-3: OWNER RESPONSIBLE:

A. Every person in whose name a vehicle is registered or licensed shall be responsible for the parking of any vehicle in violation of this chapter. It is no defense to a charge that the vehicle was illegally parked by another unless it is shown that at such time the vehicle was being used without the consent of the registered owner.

B. Proof that the named defendant is the registered owner of the illegally parked vehicle shall be prima facie evidence that the registered owner parked the vehicle and/or that the

illegally parked vehicle was so parked with the knowledge and consent of the registered owner. (2001 Code § 86-3-103)

7-3-4: PROHIBITED PARKING:

Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, it is unlawful for any person to stop, stand or park a vehicle or for any owner or person in possession to allow any vehicle to be stopped, stood or parked:

- A. On a sidewalk.
- B. In front of or within five feet (5') of a private driveway.
- C. Within an intersection.
- D. Within fifteen feet (15') of a fire hydrant.
- E. On a crosswalk.
- F. Within twenty feet (20') of a crosswalk at an intersection.
- G. Within thirty feet (30') upon the approach to any flashing beacon or traffic control device located at the side of a roadway.
- H. Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless authorized signs or markings indicate a different length.
- I. Within fifty feet (50') of the nearest rail of a railroad crossing.
- J. Within twenty feet (20') of a driveway entrance to any fire station and on a side of a street opposite the entrance when properly signposted.
- K. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct or be hazardous to traffic.
- L. Upon any bridge or other elevated structure upon a street or within a street tunnel or underpass.
- M. Upon a street in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic.
- N. In such manner or under such conditions as to obstruct any sidewalk, crossing or private driveway, except during the necessary and expeditious loading or unloading of merchandise.
- O. On any public street or alley where the width of the roadway is less than twenty feet (20').

P. Over and across any sidewalk or that area between the sidewalk and curb.

Q. Within an alley, except during the necessary and expeditious loading and unloading of merchandise; and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property or interfere with the free movement of traffic through the alley.

R. Upon the roadway side of another vehicle which is parked, standing or stopped, except while actually engaged in loading or unloading passengers or in compliance with directions of a police officer or traffic control device or when necessary to avoid other traffic.

S. In a roadway, except parallel with the edge of the roadway, headed in the direction of lawful traffic movement and with the right hand wheels of the vehicle within eighteen inches (18") of the curb or edge of the roadway, except when angle parking is expressly authorized by a sign or other method of notice erected by public authority or except upon a marked, one-way street where the left side of the vehicle may be adjacent to and parallel with the curb.

T. Upon any roadway, for the principal purpose of:

1. Greasing or repairing such vehicle, except when such repairs are necessitated by an emergency.

2. The sale of foodstuffs or other merchandise.

U. In a parking space designated for handicap parking unless the driver or his passenger is handicapped so as to require additional parking space or decreased walking distance or the vehicle has handicap license plates. Notwithstanding any provisions of this chapter to the contrary, a violation of the handicap parking regulations is an infraction with a fine not to exceed seven hundred fifty dollars (\$750.00).

V. At any place where signs, curb markings or pavement markings indicate no parking, fire zone, or words of similar effect; or where the adjacent curb is painted with red or yellow paint; or where markings on the pavement indicate parking is prohibited.

W. Where an unobstructed width of the street opposite a standing vehicle is not left for the free passage of other vehicles or where a clear view of such stopped vehicle is not available from a distance of two hundred feet (200') in each direction.

X. When the motor vehicle is standing upon any perceptible grade, unless the brakes to the vehicle are effectively set and the front wheels are turned to the curb or side of the street.

Y. Within five feet (5') of a freestanding curbside mail box.

Z. Upon the main traveled part of the street when it is practical to stop, park or so leave such vehicle off such part of such street; however, this subsection shall not apply to the driver of any vehicle which is disabled while on the main traveled portion of a street in

such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

AA. At any place where official signs or markings indicate stopping, standing or parking is prohibited. (2001 Code § 86-3-104; amd. 2009 Code)

7-3-5: ADDITIONAL PARKING REGULATIONS:

A. Authority: The mayor is authorized to place and maintain such additional appropriate signs or traffic markings to indicate standing or parking regulations and may designate and identify such other no parking or controlled parking locations as the public safety demands.

B. Signs, Markings: The mayor shall require persons, organizations, corporations and business entities, designated by the Building Code, the Fire Code, or other regulatory or Public Safety Ordinances, to install and maintain, at the expense of the person or business, such regulatory parking signs or markings as are required by such codes. It is unlawful for any person to fail to comply with the directives of the mayor to install or maintain such parking regulations or markings. When so installed, such signs and markings shall be official signs and markings, the violation of the terms of which shall be prosecuted in accordance with this chapter. (2001 Code § 86-3-105; amd. Ord. 19-04, 1-23-2019; Ord. 21-04, 2-10-2021)

7-3-6: ILLEGALLY PARKED VEHICLE TO BE MOVED OR IMPOUNDED:

Any officer finding a vehicle parked or standing upon a street in violation of any provisions of this chapter is authorized to move, at the owner's expense, such vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the main traveled part of such street. (2001 Code § 86-3-106)

7-3-7: PARKING REGULATIONS APPLICABLE TO PUBLIC SCHOOL GROUNDS:

A. It is unlawful for any person to park a vehicle adjacent to a curb which is painted with red paint, in an area marked "No Parking", or in any location where such parking would obstruct regular vehicular traffic.

B. It is unlawful for any student, staff or faculty person associated with the public school to park in an area designated for visitors or reserved parking.

C. It is unlawful for any student to park in an area reserved for faculty.

D. Where lines or similar features are painted upon the pavement surface to indicate the place of parking, it is unlawful for any person to park any vehicle when the parked vehicle is not within the lines of other markings.

E. It is unlawful for any student to park a vehicle on school property during regular school hours unless such vehicle has been registered with school officials and a registration decal is properly affixed to the vehicle, as prescribed by school regulations.

F. It is unlawful for any person to fail to comply with regulatory signs installed by school authorities concerning the movement and parking of vehicles upon the school grounds.

G. The provisions of this section shall be deemed effective upon all persons, whether such person had notice or constructive notice of such provisions and regardless of whether a written listing of the traffic and parking regulations of the Jordan School District and specific school regulations, if any, was distributed to the students and faculty at or before the beginning of each school year.

H. Vehicles parked in violation of this section may be impounded, at the owner's expense, in addition to any criminal prosecution or administrative action taken against the person who parked the vehicle. (2001 Code § 86-3-107)

7-3-8: PROHIBITED PARKING OF RECREATIONAL VEHICLES ON STREET:

A. Recreational Vehicles: Except in case of an emergency, it is unlawful for any person to park or allow the parking or storage of any recreational vehicle, trailer, camping trailer, snowmobile trailer, boat, boat trailer, construction materials trailer or similar conveyance upon the public street. As used in this section, the term "recreational vehicle" means a self-propelled motor vehicle, capable of human habitation, which contains cooking, eating, sleeping and/or sanitary facilities, commonly called a motor home.

B. Emergency Parking: For purposes of this section, an emergency shall require the immediate and actual presence of the driver or other responsible person attending the vehicle and attempting to correct the situation or effect emergency mechanical repairs. For purposes of this section, any conveyance not capable of movement under its own power shall be deemed to be parked if the conveyance has been disconnected from the motor vehicle needed for that motive power. A conveyance may be parked on the street if it is currently being loaded or unloaded and is immediately attended by a person responsible for the vehicle. A conveyance parked or stored on the public streets in violation of this section may be summarily impounded, at the expense of the owner, until the reasonable impoundment and storage charges have been paid. (2001 Code § 86-3-108)

7-3-9: PROHIBITED PARKING OF VEHICLES LEAKING FLUIDS:

It is unlawful for any person to park on the public street any vehicle which is leaking any measurable quantity of oil, grease, transmission fluid, radiator coolant, battery acid or any other fluid, other than water, onto the street. Any vehicle parked or stored on the public streets in violation of this section may be summarily impounded, at the expense of the owner, until the reasonable impoundment and storage charges have been paid. (2001 Code § 86-3-109)

7-3-10: PROHIBITED PARKING FOR SNOW REMOVAL:

A. Specified: No person shall park a vehicle or semitrailer upon a street when it is snowing or snow is on the street from November 1 and ending April 30 of the following year.

B. Obstructing Snow Removal; Impoundment: It shall be unlawful to park any vehicle or semitrailer, or permit a vehicle or semitrailer owned by that person to park in a manner that obstructs snow removal by failing to leave adequate room for passage of plows and other removal equipment. Vehicles and semitrailers so parked are subject to impoundment as detailed in Utah Code Annotated section 41-6a-1408.

C. Snowbound Vehicles And Semitrailers; Removal: It shall be unlawful for the owner of a vehicle or semitrailer to allow such vehicle or semitrailer to remain standing upon any public street for longer than forty eight (48) consecutive hours after such vehicle has become snowbound due to snowplows plowing around the vehicle or semitrailer. Such vehicles and semitrailers shall be determined abandoned. Abandoned vehicles and semitrailers shall be subject to removal and impoundment as detailed in Utah Code Annotated section 41-6a-1408. (2009 Code)

7-3-11: PENALTY:

Any person convicted of violating any provision of this chapter shall be fined an amount not less than forty dollars (\$40.00) and not more than the maximum permitted by state law for infractions. (Ord. 10-17, 7-14-2010)

1
2
3
4 **Amending Title 7 Chapter 3**

5 West Jordan City Council

6 Sponsor: KELVIN GREEN

7 Co-Sponsor: KAYLEEN WHITELOCK

8 Drafting/Reviewing Attorney:
9

10 Summary:

- 11
- 12 • This ordinance changes parking violations to a civil matter. This
13 section of code was last updated in 2001/2010/2012, cleanup changes
14 have been included. It also consolidates the Parking of Trucks located
15 in Section 7-4-2 to the West Jordan Parking Code Section 7-3-11. It
16 adds updated parking violations.
 - 17 • This brings West Jordan City Parking Code into compliance with Utah
18 Code § 41-6a-107 and add School bus zones to our code. It also brings
19 our West Jordan City Code into compliance with Utah Code §41-6a-
20 1401 and Utah Code §41-6a-1401 and §41-6a-1407.
 - 21 • Utah Code prohibits the City from enacting or enforcing any ordinance
22 or rule in conflict with Utah Code Title 41 Chapter 6a. (§41-6a-207).
23 This ordinance supplements and adds City specific parking rules can
that are not in conflict with this Utah Code.

24 Highlights of the Ordinance: Clarifies and simplifies language of the Chapter.
25 Removes potential conflicting ordinance information and makes the violation
26 a non-criminal offense. By making this an administrative offense parking can
27 be enforced by anyone designated as a parking enforcement official by the
28 Police Chief.

29 Sections of West Jordan City Code Affected:

30 AMENDS, REPEALS and AMENDS, or INSERTS:

31 7-3-1 as last amended (2001 Code § 86-3-101)

- 32 7-3-2 as last amended (2001 Code § 86-3-102)
- 33 7-3-3 as last amended (2001 Code § 86-3-103)
- 34 7-3-4 as last amended (2001 Code § 86-3-104) amd. 2009 code
- 35 7-3-5 amd. 2001 Code § 86-3-105 Ord. 19-04, 1-23-2019; Ord. 21-04, 2-10-2021
- 36 7-3-6 as last amended (2001 Code § 86-3-106)
- 37 7-3-7 as last amended (2001 Code § 86-3-107)
- 38 7-3-8 as last amended (2001 Code § 86-3-108)
- 39 7-3-9 as last amended (2001 Code § 86-3-109)
- 40 7-3-10 as last amended amd. 2009 code
- 41 7-3-11 amd. Ord. 10-17, 7-14-2010
- 42 7-3-12
- 43 7-4-2 as last amended 2001 Code § 86-7-102

1 CHAPTER 3
2 STOPPING, STANDING AND PARKING

3 SECTION:

4 7-3-1: Title

5 7-3-2: Definitions

6 7-3-3: Applicability

7 7-3-4: Owner Responsibility

8 7-3-5: Parking on Streets

9 7-3-6: Prohibited Parking

10 7-3-7: Additional Parking Regulation

11 7-3-8: Prohibited Parking Of Recreational Vehicles On Street

12 7-3-9: Prohibited Parking Of Recreational Vehicles On Street

13 7-3-10: Prohibited Parking Of Vehicles Leaking Fluids

14 7-3-11: Parking of Trucks

15 7-3-12: Penalties

16

17 7-3-1: TITLE:

18 This chapter is known as the WEST JORDAN PARKING CODE. (2001 Code § 86-3-101)

19

20 7-3-2: DEFINITIONS:

Alley	"Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for through vehicular traffic.
Controlled-access highway	"Controlled-access highway" means a highway, street, or roadway designed primarily for through traffic and has limited access entry points.
Divided Highway	'Divided highway" means a highway divided into two or more roadways by:

	<p>an unpaved intervening space;</p> <p>a physical barrier; or</p> <p>a clearly indicated dividing section constructed or painted to impede or separate vehicular traffic.</p>
Emergency parking	<p>“Emergency parking” means attempting to correct the situation or effect emergency mechanical repairs and requires the immediate and actual presence of the driver or other responsible person attending to the vehicle.</p>
Emergency use	<p>"Emergency use" means areas designated by red curb marking, also known as fire lanes, red zones, ambulance zones, or fire hydrant zones.</p> <p>Emergency use may be on public or private property; or any other designated area of the city posted and are restricted for emergency vehicles or emergency use;</p>
Operator	<p>“Operator” means driver or other person in control of the vehicle.</p>
Park or parking	<p>‘Park" or "parking" means the standing of a vehicle, whether the vehicle is occupied or not.</p> <p>"Park" or "parking" does not include: the standing of a vehicle temporarily for loading or unloading property or passengers.</p>
Parking enforcement official	<p>“Parking enforcement official” means a sworn police officer or other non-sworn city employee as designated by the Police Chief</p>

<p>Person</p>	<p>“Person” means any individual, association, organization, corporation, or business entities.</p>
<p>Private Alley</p>	<p>"Private Alley" means a street or highway that is owned or maintained by a person or Homeowner Association.</p> <p>A private alley is intended to provide access to the rear or side of lots or buildings in urban districts and not intended for through vehicular traffic.</p>
<p>Private Street</p>	<p>“Private Street” means a street or roadway not owned by or dedicated to public entity for purposes of vehicular traffic.</p>
<p>Public Parking Lot</p>	<p>“Public parking lot” means an open area other than the street, used for the temporary parking of motor vehicles and available for public use whether free, for compensation, or as an accommodation for clients, visitor, or customers;</p>
<p>Publicly owned properties</p>	<p>“Publicly owned properties” means properties owned or controlled by a federal, state, or local government entity, including an agency, board, commission, district, special district, or school district,</p>
<p>Recreational Vehicles</p>	<p>“Recreational vehicle” means a self-propelled motor vehicle, capable of human habitation, which contains cooking, eating, sleeping, or sanitary facilities. This is commonly called a motor home.</p>
<p>Registered Owner</p>	<p>"Registered Owner" means a person who has been issued certificates and license plates under the laws of Utah or another state pertaining to the registration of motor vehicles.</p>

Stand or standing	"Stand" or "standing" means the temporary halting of a vehicle, whether occupied or not, for the purpose of and while engaged in receiving or discharging passengers.
Stop or stopping	"Stop" or "stopping" when prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic-control device.
Street	"Street" means streets, highways, public alleys, and any other public thoroughfare for vehicular traffic. Streets include the entire width between property lines open to the public, as a matter of right, for purposes of vehicular traffic.
Traffic control device	"Traffic-control device" means a sign, signal, marking, painting, or a device purpose of regulating, warning, or guiding traffic.
Trailer	"Trailer" means a trailer, camping trailer, snowmobile trailer, boat, boat trailer, construction trailer, or similar towed vehicle.
School bus parking zone	"School bus parking zone" means a parking space that is clearly identified for use by a school bus.

21

Snow Event	"Snow event" means an accumulation of one inch or more of snow from November 1 to the following April 30.
-------------------	--

22

23 7-3-3: APPLICABILITY

24 This Chapter governs the parking, standing, or stopping of vehicles on public streets and on
25 publicly owned properties. Except where permitted by Utah law, this Chapter does not
26 apply to public parking lots, private alleys, or private streets. (2001 Code § 86-3-102)

27 7-3-4: OWNER RESPONSIBILITY

28 A. The registered owner of the vehicle is responsible for violations of this Chapter. The
29 registered owner may not claim that the vehicle was illegally parked by another person
30 unless the registered owner proves the vehicle was used without the registered owner's
31 consent.

32 B. Proof that the individual is the registered owner of an illegally parked vehicle is prima
33 facie evidence that:

34 1. The registered owner parked the vehicle; or

35 2. The illegally parked vehicle was parked with the knowledge and consent of the
36 registered owner. (2001 Code § 86-3-103)

37 7-3-5: PARKING ON STREETS:

38 A. The vehicle operator shall park or stop a vehicle on a two-way street with the right-
39 hand wheels:

40 1. Parallel to and within 12 inches of the right-hand curb; or

41 2. As close as practicable to the right edge of the right-hand shoulder.

42 B. The vehicle operator shall park or stop a vehicle on a one-way street parallel to the
43 curb or edge of the roadway in the direction of authorized traffic movement with its:

44 1. Wheels within 12 inches of the curb; or

45 2. As close as practicable to the right edge of the shoulder.

46 C. The vehicle operator shall set the brakes and turn the front wheels to the curb or the
47 side of the street when parking or standing on any perceptible grade.

48 7-3-6: PROHIBITED PARKING:

49 A. Except when necessary to avoid conflict with other traffic, or in compliance with law,
50 the directions of a peace officer, or a traffic-control device, a person may not stop, stand, or
51 park a vehicle:

52 1. On a sidewalk;

53 2. Within an intersection;

54 3. On a crosswalk;

55 4. Between a safety zone and the adjacent curb or within 30 feet of points on the curb
56 immediately opposite the ends of a safety zone, unless a different length is indicated by
57 signs and markings;

58 5. Alongside or opposite any street excavation or obstruction when stopping, standing,
59 or parking would obstruct traffic;

60 6. On any bridge or other elevated structure or within a tunnel or underpass;

61 7. On a street so there is less than 10 feet of the width of the street for free movement
62 of vehicular traffic;

63 9. On any public street or public alley where the width of street or alley is less than twenty
64 feet;

65 10. On the street side of another vehicle which is parked or stopped at the edge or curb of
66 a street;

67 11. Except in an emergency, on a street to grease or repair a vehicle;

68 12. In a designated handicap parking space unless the vehicle has handicap license plates
69 or a visible handicap placard;

70 13. In any fire zone, emergency use zone, no parking zone or other zone when the curb is
71 painted red; or in any yellow painted area unless signage permits temporary stopping;

72 14. Within five feet of a curbside mailbox;

73 15. On the main traveled part of the street when it is practical to stop, park, or so leave a
74 vehicle off the street except the driver may leave a disabled vehicle when it is impossible to
75 avoid temporarily leaving the disabled vehicle in such position; (2001 Code § 86-3-104;
76 amd. 2009 Code)

77 16. On any controlled-access highway;

78 17. In a school bus parking zone;

79 18. In the area between roadways of a divided highway, including crossovers;

80 19. On any street more than 72 consecutive hours;

81 20. On any median, or island, or in any dividing section of a divided highway;

82 21. In front of any taxi or bus stop; or

83 22. At any place where a traffic-control device prohibits parking or standing.

84 (B) A person may not stand or park a vehicle, whether occupied or not, except momentarily
85 to pick up or discharge a passenger or passengers:

86 1. In front of a public or private driveway;

87 2. Within 15 feet of a fire hydrant;

88 3. Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic-
89 control signal located at the side of a street;

90 4. Within a public alley that blocks the driveway entrance to any abutting property or
91 interferes with the free movement of traffic;

92 5. Within 20 feet of the driveway entrance to any fire station and on the side of a street
93 opposite the entrance to any fire station within 75 feet of the entrance when properly
94 signposted;

95 6. At any place where a traffic-control device prohibits standing.

96 C. A person may not park a vehicle, whether occupied or not, except temporarily for the
97 purpose of and while engaged in loading or unloading property or passengers:

98 1. Within 50 feet of the nearest rail of a railroad crossing; or

99 2. At any place where traffic-control devices prohibit parking.

100 7-3-7: ADDITIONAL PARKING REGULATIONS:

101 A. Authority: The Mayor or mayor's designee may place and maintain signs or traffic
102 markings to:

103 1. Indicate standing or parking regulations; and

104 2. Designate and identify other no parking or controlled parking locations.

105 B. Signs, Markings: The Mayor or mayor's designee may require persons to install and
106 maintain regulatory parking signs or markings required by the Building Code, the Fire
107 Code, other regulatory codes, or Public Safety Ordinances:

108 1. The required signs are installed and maintained at the expense of the person;

109 2. Persons shall comply with the directives of the Mayor or mayor's designee to
110 install or maintain parking signs or markings.

111 3. Violations may be enforced using this Chapter.

112 7-3-8: PROHIBITED PARKING OF RECREATIONAL VEHICLES ON STREET:

113 A. Except in case of emergency parking, a person may not park any recreational vehicle,
114 or trailer on a public street.

115 B. Any trailer is considered parked if the trailer has been disconnected from a towing
116 vehicle.

117 7-3-9: PROHIBITED PARKING OF VEHICLES LEAKING FLUIDS:

118 A person may not park any vehicle on a public street that leaks any measurable quantity of
119 oil, grease, transmission fluid, radiator coolant, battery acid, or any other fluid, other than
120 water, onto the street.

121 7-3-10: PROHIBITED PARKING FOR SNOW REMOVAL:

122 A. A person may not park a vehicle or semitrailer upon a street when it is snowing, or
123 snow is on the street from November 1 and ending April 30 of the following year.

124 B. A person may not park any vehicle or semitrailer, or permit a vehicle or semitrailer
125 owned by that person to park so that it obstructs snow removal by failing to leave adequate
126 room for passage of snowplows and other removal equipment.

127 C. An owner of a vehicle or semitrailer may not allow vehicle or semitrailer to remain
128 standing upon any public street for longer than forty eight consecutive hours after the
129 vehicle or semitrailer has become snowbound due to snowplows plowing around the
130 vehicle or semitrailer.

131 **OR**

7-3-10 PROHIBITED PARKING FOR SNOW REMOVAL

A. Parking Restrictions: During a snow event and 24 hours after the snow event, a person may park only on the side of street with even numbered buildings.

B. Exceptions To Parking Restrictions: The snow event parking restrictions do not apply when:

1. No parking signs are posted on the even numbered side. An operator may park on the opposite side of the street, unless no parking signs are located on both sides of the street;

2. When a street is divided by a meridian with one-way travel in each direction;

3. An operator parks for five minutes or less on the restricted side of the road to load or unload passengers:

4. An operator parks for 30 minutes or less to load, unload, or deliver property, merchandise, or supplies.

C. A person may apply to the city for authorization for all night parking on the restricted side when the same is required by emergency or other unusual circumstances. The chief of police shall be the sole judge as to the necessity and requirement for the authorized all night parking.

132 7-3-11 PARKING OF TRUCKS:

133 A. A person may not park a truck, truck-tractor, semitrailer or trailer on a public street:

134 1. Except while loading or unloading property or merchandise.

135 2. Closer than 30 feet to the entrance, exit, or intersection with any driveway, private
136 street, alley, or public street.

137 B. A truck is considered parked, even though the motor is running, if the vehicle is left
138 standing for any period of excess of three minutes. (2001 Code § 86-7-102)

139 7-3-12: PENALTIES:

140 A. Any parking enforcement official may issue a civil citation for any violation of this
141 Chapter. Any person found in violation of any part of chapter shall be fined an amount not
142 less than \$40 and not more \$750.

143 B. In addition to any citations issued, any parking enforcement official who finds a vehicle
144 parked, stopped, or standing on a street in violation of this chapter may:

145 1. Move the vehicle at the owner's expense; or

146 2. Require the driver or other person in charge of the vehicle to move the vehicle to a
147 position off the main traveled part of such street. (2001 Code § 86-3-106)

148

1 CHAPTER 3

2 STOPPING, STANDING AND PARKING

3 SECTION:

4 7-3-1: Title

5 7-3-2: ~~Scope~~Definitions

6 7-3-3: ~~Owner Responsible~~Applicability

7 7-3-4: ~~Prohibited Parking~~Owner Responsibility

8 7-3-5: ~~Additional Parking Regulations~~Parking on Streets

9 7-3-6: ~~Illegally Parked Vehicle To Be Moved Or Impounded~~Prohibited Parking

10 7-3-7: ~~Parking Regulations Applicable To Public School Grounds~~ Additional Parking
11 Regulation

12 7-3-8: Prohibited Parking Of Recreational Vehicles On Street

13 7-3-9: ~~Prohibited Parking Of Vehicles Leaking Fluids~~ Prohibited Parking Of Recreational
14 Vehicles On Street

15 7-3-10: ~~Prohibited Parking For Snow Removal~~ Prohibited Parking Of Vehicles Leaking
16 Fluids

17

18 7-3-11: ~~Penalty~~ Parking of Trucks

19 7-3-12: Penalties

20

21

22

23 7-3-1: TITLE:

24 This chapter ~~shall be is~~ known as the ~~CITY OF~~ WEST JORDAN PARKING CODE. (2001 Code
25 § 86-3-101)

26

27 7-3-2: ~~SCOPE~~DEFINITIONS:

Alley	"Alley" means a street or highway intended to provide access to the rear or side of lots
-------	--

	or buildings in urban districts and not intended for through vehicular traffic.
Controlled-access highway	"Controlled-access highway" means a highway, street, or roadway designed primarily for through traffic and has limited access entry points.
Divided Highway	Divided highway" means a highway divided into two or more roadways by: an unpaved intervening space; a physical barrier; or a clearly indicated dividing section constructed or painted to impede or separate vehicular traffic.
Emergency parking	"Emergency parking" means attempting to correct the situation or effect emergency mechanical repairs and requires the immediate and actual presence of the driver or other responsible person attending to the vehicle.
Emergency use	"Emergency use means areas designated by red curb marking, also known as fire lanes, red zones, ambulance zones, or fire hydrant zones. Emergency zones may be on public or private property; or any other designated area of the city posted and are restricted for emergency vehicles or emergency use;
Operator	"Operator" means driver or other person in control of the vehicle.
Park or parking	Park" or "parking" means the standing of a vehicle, whether the vehicle is occupied or not. "Park" or "parking" does not include: the standing of a vehicle temporarily for loading or unloading property or passengers.

Parking enforcement official	“Parking enforcement official” means a sworn police officer or other non-sworn city employee as designated by the Police Chief
Person	“Person” means any individual, association, organization, corporation, or business entities.
Private Alley	"Private Alley" means a street or highway, owned, or maintained by a person or Homeowner Association, intended to provide access to the rear or side of lots or buildings in urban districts and not intended for through vehicular traffic.
Private Street	<u>“Private Street”</u> means a street or roadway not owned by or dedicated to public entity for purposes of vehicular traffic.
Public Parking Lot	“Public parking lot” means an open area other than the street, used for the temporary parking of motor vehicles and available for public use whether free, for compensation, or as an accommodation for clients, visitor, or customers;
Publicly owned properties	Publicly owned properties property owned or controlled by a federal, state, or local governmental entity, including an agency, board, commission, district, special district, or school district,
Recreational Vehicles:	“Recreational vehicle” means a self-propelled motor vehicle, capable of human habitation, which contains cooking, eating, sleeping, or sanitary facilities. This is commonly called a motor home.
Registered Owner	"Registered Owner" means a person who has been issued certificates and license plates under the laws of Utah or another state

	pertaining to the registration of motor vehicles.
Stand or standing	"Stand" or "standing" means the temporary halting of a vehicle, whether occupied or not, for the purpose of and while engaged in receiving or discharging passengers.
Stop or stopping	"Stop" or "stopping" when prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic-control device.
Street	"Street" means streets, highways, public alleys, and any other public thoroughfare for vehicular traffic. Streets include the entire width between property lines open to the public, as a matter of right, for purposes of vehicular traffic.
Traffic control device	"Traffic-control device" means a sign, signal, marking, painting, or a device purpose of regulating, warning, or guiding traffic.
Trailer	"Trailer" means a trailer, camping trailer, snowmobile trailer, boat, boat trailer, construction trailer, or similar towed vehicle.
School bus parking zone	"School bus parking zone" means a parking space that is clearly identified as reserved for use by a school bus.

28

Snow Event	"Snow event" means an accumulation of one inch or more of snow from November 1 to the following April 30. From
-------------------	---

29

30 7-3-3: APPLICABILITY

31 This ~~e~~Chapter shall governs the parking, standing, ~~and-or~~ stopping of vehicles ~~upon the~~
32 public ~~roadways~~streets, ~~upon other~~ publicly owned properties, ~~and upon private property~~
33 ~~upon which the public is generally invited for the purpose of vehicular parking.~~ Except
34 where permitted by Utah law, this Chapter does not apply to public parking lots, private
35 alleys, or private streets. (2001 Code § 86-3-102)

36

37 ~~7-3-4: OWNER RESPONSIBLE:~~ OWNER RESPONSIBILITY

38 A. ~~Every person in whose name a vehicle is registered or licensed shall be responsible~~
39 ~~for the parking of any vehicle in violation of this chapter.~~ The registered owner of the
40 vehicle is responsible for violations of this Chapter. ~~It is no defense to a charge that the~~
41 ~~vehicle was illegally parked by another unless it is shown that at such time the vehicle was~~
42 ~~being used without the consent of the registered owner.~~ The registered owner may not
43 claim that the vehicle was illegally parked by another person unless the registered owner
44 proves the vehicle was used without the registered owner's consent.

45 B. Proof that ~~the named defendant~~ the individual is the registered owner of ~~the an~~
46 illegally parked vehicle ~~shall be~~ is prima facie evidence that:

47 1. ~~T~~he registered owner parked the vehicle; ~~and/or that~~ or

48 2. ~~t~~he illegally parked vehicle was ~~so~~ parked with the knowledge and consent of the
49 registered owner. (2001 Code § 86-3-103)

50 7-3-5: PARKING ON STREETS:

51 A. The vehicle operator shall park or stop a vehicle on a two-way street with the right-
52 hand wheels:

53 1. Parallel to and within 12 inches of the right-hand curb; or

54 2. As close as practicable to the right edge of the right-hand shoulder.

55 B. The vehicle operator shall park or stop a vehicle on a one-way street parallel to the
56 curb or edge of the roadway in the direction of authorized traffic movement with its:

57 1. Wheels within 12 inches of the curb; or

58 2. As close as practicable to the right edge of the shoulder.

59 C. The vehicle operator shall set the brakes and turn the front wheels to the curb or the
60 side of the street when parking or standing on any perceptible grade.

61 ~~7-3-4:~~ 7-3-6: PROHIBITED PARKING:

62 A. Except when necessary to avoid conflict with other traffic, or in compliance with law,
63 the directions of a peace officer, or a traffic-control device, a person may not stop, stand, or
64 park a vehicle:

65 ~~A1.~~ On a sidewalk;

66 ~~B.~~ In front of or within five feet (5') of a private driveway.

67 ~~C2.~~ Within an intersection;

68 ~~D.~~ Within fifteen feet (15') of a fire hydrant.

69 ~~E3.~~ On a crosswalk.

70 ~~F.~~ Within twenty feet (20') of a crosswalk at an intersection.

71 ~~G.~~ Within thirty feet (30') upon the approach to any flashing beacon or traffic control

72 device located at the side of a roadway.

73 ~~H.4.~~ Between a safety zone and the adjacent curb or within ~~thirty 30~~ feet (30') of points

74 on the curb immediately opposite the ends of a safety zone, unless ~~authorized signs or~~

75 ~~markings indicate a different length.~~ a different length is indicated by signs and markings.

76 ~~I.~~ Within fifty feet (50') of the nearest rail of a railroad crossing.

77 ~~J.~~ Within twenty feet (20') of a driveway entrance to any fire station and on a side of a

78 street opposite the entrance when properly signposted.

79 ~~K5.~~ Alongside or opposite any street excavation or obstruction when stopping, standing,

80 or parking would obstruct ~~or be hazardous to~~ traffic.

81 ~~L6.~~ Upon On any bridge or other elevated ~~structure upon a street,~~ or within a ~~street~~

82 tunnel or underpass.

83 ~~M7.~~ Upon On a street ~~in such a manner or under such conditions as to leave~~ so there is

84 ~~available~~ less than ~~ten 10~~ feet (10') of the width of the ~~roadway~~ street for free movement of

85 vehicular traffic.

86 ~~N.~~ ~~In such manner or under such conditions as to obstruct any sidewalk, crossing or~~

87 ~~private driveway, except during the necessary and expeditious loading or unloading of~~

88 ~~merchandise.~~

89 ~~O9.~~ On any public street or public alley where the width ~~of the roadway~~ street or alley is

90 less than twenty feet (20').

91 ~~P.~~ ~~Over and across any sidewalk or that area between the sidewalk and curb.~~

92 ~~Q.~~ ~~Within an alley, except during the necessary and expeditious loading and unloading of~~

93 ~~merchandise; and no person shall stop, stand or park a vehicle within an alley in such~~

94 ~~position as to block the driveway entrance to any abutting property or interfere with the~~

95 ~~free movement of traffic through the alley.~~

96 ~~R10.~~ Upon On the roadway street side of another vehicle which is ~~parked, standing~~

97 ~~or parked or~~ stopped at the edge or curb of a street, ~~except while actually engaged in~~

98 ~~loading or unloading passengers or in compliance with directions of a police officer or~~

99 ~~traffic control devices, or when necessary to avoid other traffic.~~

100 ~~—S. In a roadway, except parallel with the edge of the roadway, headed in the direction of~~
101 ~~lawful traffic movement and with the right hand wheels of the vehicle within eighteen~~
102 ~~inches (18") of the curb or edge of the roadway, except when angle parking is expressly~~
103 ~~authorized by a sign or other method of notice erected by public authority or except upon a~~
104 ~~marked, one-way street where the left side of the vehicle may be adjacent to and parallel~~
105 ~~with the curb.~~

106 ~~—T. Upon any roadway, for the principal purpose of:~~

107 ~~— 1. Greasing or repairing such vehicle, except when such repairs are necessitated by an~~
108 ~~emergency.~~

109 ~~— 2. The sale of foodstuffs or other merchandise.~~

110 11. Except in an emergency, On a street to grease or repair a vehicle.

111 ~~U12. In a parking space designated for handicap parking space unless unless the driver~~
112 ~~or his passenger is handicapped so as to require additional parking space or decreased~~
113 ~~walking distance or the vehicle has handicap license plates or a visible handicap placard.~~
114 ~~Notwithstanding any provisions of this chapter to the contrary, a violation of the handicap~~
115 ~~parking regulations is an infraction with a fine not to exceed seven hundred fifty dollars~~
116 ~~(\$750.00).~~

117 ~~V13. At any place where signs, curb markings or pavement markings indicate no~~
118 ~~parking, fire zone, or words of similar effect; or where the adjacent curb is painted with red~~
119 ~~or yellow paint; or where markings on the pavement indicate parking is prohibited. In any~~
120 ~~fire zone, emergency use zone, no parking zone or other zone when the curb is painted red~~
121 ~~or in any yellow painted area unless signage permits for temporary stopping for specific~~
122 ~~purposes;~~

123 ~~—W. Where an unobstructed width of the street opposite a standing vehicle is not left for~~
124 ~~the free passage of other vehicles or where a clear view of such stopped vehicle is not~~
125 ~~available from a distance of two hundred feet (200') in each direction.~~

126 ~~—X. When the motor vehicle is standing upon any perceptible grade, unless the brakes to~~
127 ~~the vehicle are effectively set and the front wheels are turned to the curb or side of the~~
128 ~~street.~~

129 ~~— Y14. Within five feet (5') of a freestanding curbside mail-box;~~

130 ~~— Z15. Upon On the main traveled part of the street when it is practical to stop, park, or~~
131 ~~so leave such a vehicle off such part of such the street; however, this subsection shall not~~
132 ~~apply to except the driver may leave of any vehicle which is a disabled vehicle while on the~~
133 ~~main traveled portion of a street in such manner and to such extent that when it is~~
134 ~~impossible to avoid stopping and temporarily leaving such the disabled vehicle in such~~
135 ~~position. (2001 Code § 86-3-104; amd. 2009 Code)~~

136 ~~—AA. At any place where official signs or markings indicate stopping, standing or parking~~
137 ~~is prohibited. (2001 Code § 86-3-104; amd. 2009 Code)~~ 16. On any controlled-access
138 highway;

- 139 17. In a school bus parking zone;
140 18. In the area between roadways of a divided highway, including crossovers;
141 19. On any street more than 72 consecutive hours;
142 20. On any median, or island, or in any dividing section of a divided highway;
143 21. In front of any taxi or bus stop; or
144 22. At any place where a traffic-control device prohibits parking or standing.

145 B. A person may not stand or park a vehicle, whether occupied or not, except momentarily
146 to pick up or discharge a passenger or passengers:

- 147 1. In front of a public or private driveway;
148 2. Within 15 feet of a fire hydrant;
149 3. Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic-
150 control signal located at the side of a roadway;
151 4. Within a public alley that blocks the driveway entrance to any abutting property or
152 interferes with the free movement of traffic;
153 5. Within 20 feet of the driveway entrance to any fire station and on the side of a street
154 opposite the entrance to any fire station within 75 feet of the entrance when properly
155 signposted;
156 6. At any place where a traffic-control device prohibits standing.

157 C. A person may not park a vehicle, whether occupied or not, except temporarily for the
158 purpose of and while engaged in loading or unloading property or passengers:

- 159 1. Within 50 feet of the nearest rail of a railroad crossing; or
160 2. At any place where traffic-control devices prohibit parking.

161 7-3-~~57~~: ADDITIONAL PARKING REGULATIONS:

162 A. —A.—Authority: The Mmayor or mayor's designee ~~is authorized to~~ may place and
163 maintain ~~such additional appropriate~~ signs or traffic markings to ~~indicate~~:

- 164 1. Indicate ~~s~~standing or parking ~~regulations and~~ regulations; and
165 2. may dDesignate and identify ~~such other~~ other no parking or controlled parking
166 locations, ~~as the public safety demands.~~

167 B. —B.—Signs, Markings: The Mmayor or mayor's designee ~~shall~~ may require persons,
168 ~~organizations, corporations and business entities, to install and maintain regulatory~~
169 parking signs or markings required by, designated by the Building Code, the Fire Code,
170 ~~or~~ other regulatory ~~or~~ codes, or Public Safety Ordinances;

171 1. ,to install and maintain, These signs are installed and maintained at the expense of
172 the person or business;

173 2. ,such regulatory parking signs or markings as are required by such codes. It is
174 unlawful for any person to fail to comply with the directives of the mayor to install
175 or maintain such parking regulations or markings. When so installed, such signs
176 and markings shall be official signs and markings, the violation of the terms of
177 which shall be prosecuted in accordance with this chapter. (2001 Code § 86-3-105;
178 amd. Ord. 19-04, 1-23-2019; Ord. 21-04, 2-10-2021)Persons shall comply with the
179 directives of the Mayor or mayor's designee to install or maintain parking signs or
180 markings.

181 3. Violations may be enforced using this Chapter.

182 ~~7-3-6: ILLEGALLY PARKED VEHICLE TO BE MOVED OR IMPOUNDED:~~

183 ~~Any officer finding a vehicle parked or standing upon a street in violation of any provisions~~
184 ~~of this chapter is authorized to move, at the owner's expense, such vehicle or require the~~
185 ~~driver or other person in charge of the vehicle to move the vehicle to a position off the main~~
186 ~~traveled part of such street. (2001 Code § 86-3-106)~~

187 ~~7-3-7: PARKING REGULATIONS APPLICABLE TO PUBLIC SCHOOL GROUNDS:~~

188 ~~—A. It is unlawful for any person to park a vehicle adjacent to a curb which is painted with~~
189 ~~red paint, in an area marked "No Parking", or in any location where such parking would~~
190 ~~obstruct regular vehicular traffic.~~

191 ~~—B. It is unlawful for any student, staff or faculty person associated with the public school~~
192 ~~to park in an area designated for visitors or reserved parking.~~

193 ~~—C. It is unlawful for any student to park in an area reserved for faculty.~~

194 ~~—D. Where lines or similar features are painted upon the pavement surface to indicate the~~
195 ~~place of parking, it is unlawful for any person to park any vehicle when the parked vehicle~~
196 ~~is not within the lines of other markings.~~

197 ~~—E. It is unlawful for any student to park a vehicle on school property during regular~~
198 ~~school hours unless such vehicle has been registered with school officials and a registration~~
199 ~~decal is properly affixed to the vehicle, as prescribed by school regulations.~~

200 ~~—F. It is unlawful for any person to fail to comply with regulatory signs installed by school~~
201 ~~authorities concerning the movement and parking of vehicles upon the school grounds.~~

202 ~~—G. The provisions of this section shall be deemed effective upon all persons, whether~~
203 ~~such person had notice or constructive notice of such provisions and regardless of whether~~
204 ~~a written listing of the traffic and parking regulations of the Jordan School District and~~
205 ~~specific school regulations, if any, was distributed to the students and faculty at or before~~
206 ~~the beginning of each school year.~~

207 ~~—H. Vehicles parked in violation of this section may be impounded, at the owner's~~
208 ~~expense, in addition to any criminal prosecution or administrative action taken against the~~
209 ~~person who parked the vehicle. (2001 Code § 86-3-107)~~

211 7-3-8: PROHIBITED PARKING OF RECREATIONAL VEHICLES ON STREET:

212 ~~—A. Recreational Vehicles: A. Except in case of an emergency parking, it is unlawful for~~
213 ~~any person to a person may not park or allow the parking or storage of any recreational~~
214 ~~vehicle, trailer, camping trailer, snowmobile trailer, boat, boat trailer, construction~~
215 ~~materials trailer or similar conveyance upon the or trailer on a public street. As used in this~~
216 ~~section, the term "recreational vehicle" means a self-propelled motor vehicle, capable of~~
217 ~~human habitation, which contains cooking, eating, sleeping and/or sanitary facilities,~~
218 ~~commonly called a motor home.~~

219 ~~—B. Emergency Parking: For purposes of this section, an emergency shall require the~~
220 ~~immediate and actual presence of the driver or other responsible person attending the~~
221 ~~vehicle and attempting to correct the situation or effect emergency mechanical repairs. For~~
222 ~~purposes of this section, a Any trailer conveyance not capable of movement under its own~~
223 ~~power shall be deemed to be is considered parked if the conveyance trailer has been~~
224 ~~disconnected from a towing vehicle the motor vehicle needed for that motive power. A~~
225 ~~conveyance may be parked on the street if it is currently being loaded or unloaded and is~~
226 ~~immediately attended by a person responsible for the vehicle.~~

227 ~~A conveyance parked or stored on the public streets in violation of this section may~~
228 ~~be summarily impounded, at the expense of the owner, until the reasonable~~
229 ~~impoundment and storage charges have been paid. (2001 Code § 86-3-108)~~

231 7-3-9: PROHIBITED PARKING OF VEHICLES LEAKING FLUIDS:

232 ~~It is unlawful for any A person to may not park any vehicle on the a public street any vehicle~~
233 ~~which is that leaking leaks any measurable quantity of oil, grease, transmission fluid,~~
234 ~~radiator coolant, battery acid, or any other fluid, other than water, onto the street.~~

235 ~~—Any vehicle parked or stored on the public streets in violation of this section may be~~
236 ~~summarily impounded, at the expense of the owner, until the reasonable~~
237 ~~impoundment and storage charges have been paid. (2001 Code § 86-3-109)~~

239 7-3-10: PROHIBITED PARKING FOR SNOW REMOVAL:

240 A. ~~Specified: No person shall~~ A person may not park a vehicle or semitrailer upon a street
241 when it is snowing, or snow is on the street from November 1 and ending April 30 of the
242 following year.

243 B. ~~Obstructing Snow Removal; Impoundment: A person may not~~ A person may not ~~It shall be unlawful to~~
244 park any vehicle or semitrailer, or permit a vehicle or semitrailer owned by that person to
245 park ~~in a manner that~~ so that it obstructs snow removal by failing to leave adequate room
246 for passage of snowplows and other removal equipment. ~~Vehicles and semitrailers so~~
247 ~~parked are subject to impoundment as detailed in Utah Code Annotated section 41-6a-~~
248 ~~1408.~~

249 ~~—C. Snowbound Vehicles And Semitrailers; Removal: It shall be unlawful for~~ An the owner
250 of a vehicle or semitrailer ~~to~~ may not allow ~~such~~ vehicle or semitrailer to remain standing
251 upon any public street for longer than forty eight ~~(48)~~ consecutive hours after ~~such~~ the
252 vehicle or semitrailer has become snowbound due to snowplows plowing around the
253 vehicle or semitrailer. ~~Such vehicles and semitrailers shall be determined abandoned.~~
254 ~~Abandoned vehicles and semitrailers shall be subject to removal and impoundment as~~
255 ~~detailed in Utah Code Annotated section 41-6a-1408. (2009 Code)~~

256 OR

257

7-3-10 PROHIBITED PARKING FOR SNOW REMOVAL

A. Parking Restrictions: During a snow event and 24 hours after the snow event, a person may park only on the side of street with even numbered buildings.

B. Exceptions To Parking Restrictions: The snow event parking restrictions do not apply when:

1. No parking signs are posted on the even numbered side. An operator may park on the opposite side of the street, unless no parking signs are located on both sides of the street;

2. When a street is divided by a meridian with one-way travel in each direction;

3. An operator parks for five minutes or less on the restricted side of the road to load or unload passengers;

4. An operator parks for 30 minutes or less to load, unload, or deliver property, merchandise, or supplies.

C. A person may apply to the city for authorization for all night parking on the restricted side when the same is required by emergency or other unusual circumstances. The chief of police shall be the sole judge as to the necessity and requirement for the authorized all night parking.

7-3-11 PARKING OF TRUCKS:

258 A. A person may not park a ~~No~~ truck, truck-tractor, semitrailer or ~~trailer~~ trailer on a
259 public street ~~shall be parked:~~
260

261 1. ~~On a public street, e~~Except while ~~actually loading~~loading or unloading merchandise.

262 2. ~~On a public street e~~Closer than ~~thirty feet~~30 feet (30') to the entrance, exit, or
263 intersection with any ~~private~~driveway, private street, ~~alley~~alley, or public street.

264 B. ~~For the purposes of this section, A~~a truck ~~shall be deemed~~is considered parked, even
265 though the motor is running, if the vehicle is left standing for any period of excess of three
266 ~~(3)~~minutes, ~~except when unloading or loading~~. (2001 Code § 86-7-102)

267 7-3-112: ~~PENALTY~~PENALTIES:

268 A. Any parking enforcement official may issue a civil citation for any violation of this
269 Chapter. Any person ~~convicted of violating~~found in violation of any ~~provision of this part of~~
270 chapter shall be fined an amount not less than ~~forty \$40 dollars (\$40.00)~~and not more than
271 the maximum permitted by state law for infractions. ~~\$750.~~(Ord. 10-17, 7-14-2010)

272 B. In addition to any citations issued, any parking enforcement official who finds a vehicle
273 parked, stopped, or standing on a street in violation of this chapter may:

274 1. Move the vehicle at the owner's expense; or

275 2. Require the driver or other person in charge of the vehicle to move the vehicle to a
276 position off the main traveled part of such street. (2001 Code § 86-3-106)

277

CHAPTER 4 TRUCKS

SECTION:

7-4-1: Definitions

7-4-2: Parking Of Trucks

7-4-3: Truck Routes

7-4-4: Loads To Be Covered

7-4-5: Penalty

7-4-1: DEFINITIONS:

A. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

RESIDENTIAL AREA: The territory contiguous to and including a highway not comprising a Business District when the property on such highway for a distance of three hundred feet (300') or more is in the main improved with residences.

SEMITRAILER: Every vehicle with or without motive power, other than a police trailer, designed for carrying persons or property and for being drawn by a motor vehicle for commercial purposes and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

TRAILER: Every vehicle with or without motive power, other than a police trailer, designed for carrying persons or property for commercial purposes and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

TRUCK: Every motor vehicle designed, used or maintained primarily for the transportation of property for commercial purposes having a registered gross vehicle weight exceeding eighteen thousand (18,000) pounds.

TRUCK-TRACTOR: Every motor vehicle designed and used primarily for commercial purposes for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

B. The definitions of semitrailer, trailer, truck and truck- tractor shall not be construed to include privately owned trailers, boat trailers, camping trailers, and recreation vehicles used for private noncommercial purposes. (2001 Code § 86-7-101)

7-4-2: PARKING OF TRUCKS:

~~—A. No truck, truck-tractor, semitrailer or trailer shall be parked:~~

~~—1. On a public street, except while actually loading or unloading merchandise.~~

~~—2. On a public street closer than thirty feet (30') to the entrance, exit or intersection with any private driveway, private street, alley or public street.~~

~~—B. For the purposes of this section, a truck shall be deemed parked, even though the motor is running, if the vehicle is left standing for any period of excess of three (3) minutes, except when unloading or loading. (2001 Code § 86-7-102)~~

[Parking for trucks is discussed in the West Jordan Parking Code, Section 7-3-11.](#)

7-4-3: TRUCK ROUTES:

A. Designated:

1. The following streets are designated as truck routes:

Airport Road from northern City boundary to **New Bingham Highway**.

Bangerter Highway (approximately 3600 West) from northern City boundary to southern City boundary.

Campus View Drive from Jordan Landing Boulevard to 7800 South.

Dannon Way from 5600 West to 6400 West.

Farm Road from 4000 West to 4300 West.

Haun Drive from 2700 West to 3200 West.

Hawley Park Road from 5600 West to Old Bingham Highway.

Jordan Landing Boulevard from Bangerter Highway to 7800 South.

Mountain View Freeway from northern City boundary to southern City boundary.

New Bingham Highway from intersection with 7800 South to western City boundary.

Nike Drive from 4000 West to 4300 West.

Old Bingham Highway from intersection with 7800 South to western City boundary.

Prosperity Road from New Bingham Highway to Old Bingham Highway.

Redwood Road from northern City boundary to southern City boundary.

State Road U-111 from northern City boundary to southern City boundary.

Welby Park Drive from New Bingham Highway to 8200 South.

Wells Park Road from Hawley Park Road to 6800 West.

1300 West from 7800 South to 9000 South.

2700 West from 8600 South to 9000 South.

3200 West from 8600 South to 9000 South.

4000 West from 7800 South to 9000 South.

4300 West from 8200 South to Farm Road.

5600 West from northern City boundary to southern City boundary.

6200 South from Bangerter Highway to 5600 West.

7000 South from eastern City boundary to Redwood Road.

7800 South from eastern City boundary to State Road U-111.

8370 South from 4000 West to 4300 West.

8600 South from 3200 West to Old Bingham Highway.

9000 South from eastern City boundary to the intersection with the Mountain View Freeway at 5800 West.

2. All trucks, truck-tractors, semitrailers and trailers, and all vehicles carrying flammable liquids in excess of three thousand (3,000) gallons, explosives and corrosives, shall, except as provided in this section, follow such designated truck routes and not depart from such routes. The mayor may, in writing, designate temporary alternative truck routes and authorize trucks to depart from the truck routes for a temporary period not exceeding thirty (30) days, when road repairs or other obstructions block the truck routes and when a report of such authorization is made to the City Council at the next regularly scheduled Council meeting.

B. Exceptions: The truck routes specified in subsection A of this section shall not apply to trucks delivering to or returning from construction sites where it is not possible to use a designated truck route, or to trucks delivering merchandise to or from local businesses or local residences or established truck terminals, or traveling to or from a licensed garage where the vehicle will be lawfully repaired or serviced, if travel or delivery is made by the most direct and shortest route. A truck-tractor, not attached to a trailer or semitrailer, may depart from the truck routes, notwithstanding any provisions of this chapter to the contrary, and may be parked on private property in compliance with the City Zoning Ordinance.

C. Going To Or From Retail Fuel Outlet: An unladen truck or truck-tractor subject to this section may, for the sole purpose of going to or returning from a retail fuel outlet, depart from the truck routes designated in this section; however, the route of travel must be as reasonably direct as possible.

D. Signs Required: The mayor shall install on major streets near their intersections with streets designated as truck routes in this section signs which indicate, in words or in picture, that trucks are prohibited. Where such signs are installed, the mayor may install

additional signage to the effect that local deliveries are permitted in accordance with subsection B of this section.

E. Signs Prohibiting Use Of Dynamic Engine Braking Devices: The mayor shall cause to be installed adjacent to truck routes appropriate signage which indicates that the use of dynamic engine braking devices by which compression within the vehicle engine slows or stops the vehicle's forward motion is prohibited. (2001 Code § 86-7-103; amd. Ord. 16-40, 10-12-2016; Ord. 19-04, 1-23-2019; Ord. 21-04, 2-10-2021)

7-4-4: LOADS TO BE COVERED:

It is unlawful for any person to haul, convey or transport through or upon any of the public streets any garbage, ashes, market wastes, manure, night soil, loose paper, scrap paper, excelsior, tree limbs, bush clippings, lawn clippings, house refuse, yard refuse, liquid wastes or any other refuse materials, in open trucks, open trailers or other open conveyances, unless covered completely by a heavy duty canvas or other similar material which shall prevent the spillage of any materials from such vehicles at all times when the vehicles are being used for the collection of, or carrying, transporting or hauling of any of such materials. (2001 Code § 86-7-104)

7-4-5: PENALTY:

It is unlawful for any driver or other person having control of any vehicle to violate or allow such vehicle to be operated in violation of the provisions of this chapter. A first violation of this chapter shall be an infraction. Any subsequent violations of this chapter by the same driver or other person having control of any vehicle that is allowed to violate this chapter shall be enhanced to a Class C misdemeanor. (2001 Code § 86-7-105; amd. 2009 Code)



REQUEST FOR COUNCIL ACTION

Action: Request feedback from Council

Meeting Date Requested : 03/20/2024

Presenter: Larry Gardner, Megan Jensen

Deadline of item : None

Applicant: City of West Jordan

Department Sponsor: Community Development

Agenda Type: DISCUSSION TOPICS

Presentation Time: 15 min.

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Discussion of proposed Title 13 amendments, specifically 13-2-3: Definitions.

2. EXECUTIVE SUMMARY

The council is being asked to provide feedback on proposed definitions for terms found in section 13-8-14: Storage of Commercial Vehicles in Residential Zone. The purpose of the proposal is to define terms that are in current policy which would provide clarity to Staff, specifically Code Enforcement, in enforcing the aforementioned section. The outcome would be adding the necessary definitions to section 13-2-3: Definitions. At this time, Staff is requesting feedback on definitions but not policy.

3. TIME SENSITIVITY / URGENCY

None

4. FISCAL NOTE

N/A

5. PLANNING COMMISSION RECOMMENDATION

N/A

6. STAFF ANALYSIS

The Council is being asked for feedback on definitions for terms found in the following Ordinance:

13-8-14: Storage of Commercial Vehicles in Residential Zone

No trucks, motor vehicles or commercial trailers which exceed the rated capacity of one and one-half (1¹/₂) tons or having a gross vehicle weight exceeding twelve thousand (12,000) pounds shall be stored or parked on any lot or parcel within any residential zone. No construction and/or earthmoving equipment shall be stored or parked on any lot or parcel in a residential zone. Notwithstanding the foregoing provisions, the tractor portion of a semitruck may be parked or stored on a lot in a residential zone occupied by the driver, provided the vehicle is parked or stored entirely within the boundaries of such lot and does not obstruct the public sidewalk. (2001 Code §89-6-116; amd. 2009 Code)

Staff recommends defining the following terms in section 13-2-3: Definitions:
Construction Equipment

Commercial Vehicle

Staff recommends the following definitions:

- *Construction Equipment: Equipment of machinery used generally within the manufacturing, construction, or farming industries. Typical equipment includes cranes, forklifts, asphalt pavers, backhoes, bulldozers, trackers, earth movers, scrapers, loaders, crawler or wheel tractors, off-highway trucks, graders, agricultural and industrial tractors, and similar equipment.*
- *Commercial Vehicle: a motor vehicle, truck, trailer, or semitrailer used or maintained for the transportation of persons or property that operates:
(a) As a carrier for hire, compensation, or profit; or
(b) As a carrier to transport the vehicle owner's goods or property in furtherance of the owner's commercial enterprise.*

The council may set a minimum threshold on what level of equipment is regulated by setting a minimum horsepower, weight, and/or classification within the definition. For example, only construction equipment that is over 14,000 lbs. or have 40hp or more could be considered in the definition. You can see thresholds that other entities use to determine if they should be regulated or not.

This policy is intended to return to council for further policy discussion.

7. MOTION RECOMMENDED

None at this time

8. MAYOR RECOMMENDATION

None

9. PACKET ATTACHMENT(S)

Definitions from other Cities and Entities

10. OTHER INFORMATION

None

Committee of the Whole Meeting

Council Staff Review



Item Name: Proposed Amendments to Title 13
Department: Community Development
Action Needed: Discussion item; input requested from council

EXECUTIVE SUMMARY

Council is requested to provide feedback on proposed definitions for terms found in section 13-8-14: Storage of Commercial Vehicles in Residential Zone.

Defining terms in current policy would help provide clarity to staff, especially Code Enforcement, as they enforce the referenced section.

TIMELINE

This item has not been discussed with the council previously and does not have a stated urgency or required-by date.

COUNCIL OFFICE ANALYSIS

Staff would like to emphasize that this meeting is about defining terms, and revising or establishing policy will come with a later meeting. Staff has also compiled appropriate definitions from other cities for reference, which are included in this packet.

TRADEOFFS & ALTERNATIVES

N/A

Definitions from Other Cities and Entities

Sandy:

Commercial vehicle means a vehicle designed and/or used for business, transportation of commodities, merchandise, produce, freight, animals, passengers or other transports including tow trucks or trailers used for the movement of equipment regardless of length. The term "commercial vehicle" also includes construction vehicles such as a bulldozer, backhoe, and similar vehicles.

Draper:

Commercial equipment: equipment of machinery used generally within the manufacturing, construction, or farming industries. Typical equipment includes cranes, forklifts, asphalt pavers, backhoes, bulldozers, and trackers.

Commercial trailer: A vehicle without motive power used in commerce to transport passengers or property which:

- a. Is designed to be towed by another vehicle;
- b. Has a gross weight rating or gross weight of more than ten thousand (10,000) pounds, whichever is greater; and
- c. Is not a recreational vehicle or designed to exclusively carry or transport on or more recreational vehicles.

Commercial vehicle: A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- a. Has a gross vehicle weight rating or gross vehicle weight of twenty six thousand one (26,001) pounds or more, whichever is great;
- b. Is designed to transport sixteen (16) or more passengers, including the driver; or
- c. Is of any size and is used in the transportation of hazardous materials as defined in 49 USC 5103 and is required to be placarded under subpart F of 49 CFR part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR part 73.

Salt Lake City:

COMMERCIAL VEHICLE: A vehicle associated with a business that exceeds one (1) ton capacity. This includes but is not limited to buses, dump trucks, stake body trucks, step vans, tow trucks and tractor trailers. Taxis and limousines shall also be considered commercial vehicles.

West Valley:

Commercial vehicles include any motor vehicle, trailer, or combination of motor vehicle and trailer with a manufacturer's gross vehicle weight rating or gross combination weight rating of 14,000 pounds or more.

Commercial vehicles do not include:

- i. Recreational vehicles that are driven solely as family or personal conveyances for noncommercial purposes.
- ii. Vehicles owned by the state or local government.
- iii. Firefighting and emergency vehicles, operated by emergency personnel, not including commercial tow trucks.
- iv. Vehicles with a manufacturer's gross vehicle weight rating of 19,500 or less with factory-installed truck bed.

Taylorsville:

COMMERCIAL VEHICLE: A vehicle designed and/or used for business, transportation of commodities, merchandise, produce, freight, animals, passengers or other transports including tow trucks or trailers used for the movement of equipment regardless of length. This definition also includes construction vehicles such as a bulldozer, backhoe, and similar vehicles.

Salt Lake County:

"Commercial vehicle" means any motorized vehicle or trailer used for or intended for business use - including but not limited to the transportation of commercial equipment, merchandise, produce, freight, commodities, passengers, or animals - and which is characterized by any of the following:

- A. Heavy equipment, such as earth movers, backhoes, cranes, forklifts, bulldozers, and the like, which are commonly used for construction, excavation, demolition, or lifting; vehicles used to haul equipment or materials, such as dump trucks, tanker trucks, semi-tractors, semi-trailers, cement trucks, or other similar vehicle.
- B. Pickup trucks over one ton with a commercial modification, such as a flat bed, a dumping mechanism, mechanical lifts or arms for loading and unloading materials/equipment, aerial buckets or platforms, or other similar feature.
- C. Vehicles with more than two axles.
- D. Vehicles that exceed eight feet in height.

Utah DMV:

Commercial and heavy vehicles: "A heavy vehicle is defined as a vehicle registered over 12,000 lbs (light-duty and some medium-duty trucks, small RVs, minivan, cargo van, SUV, pickup truck, step van, maybe some walk-in, box truck, city delivery, heavy-duty pickup)

Utah State Code:

Commercial vehicle: means a motor vehicle, trailer, or semitrailer used or maintained for the transportation of persons or property that operates:

- (a) As a carrier for hire, compensation or profit; or
- (b) As a carrier to transport the vehicle owner's goods or property in furtherance of the owner's commercial enterprise.

OSHA:

Earthmoving equipment: scrapers, loaders, crawler or wheel tractors, bulldozers, off-highway trucks, graders, agricultural and industrial tractors, and similar equipment.

13-8-14: STORAGE OF COMMERCIAL VEHICLES IN RESIDENTIAL ZONE:

No trucks, motor vehicles or commercial trailers which exceed the rated capacity of one and one-half ($1\frac{1}{2}$) tons or having a gross vehicle weight exceeding twelve thousand (12,000) pounds shall be stored or parked on any lot or parcel within any residential zone. No construction and/or earthmoving equipment shall be stored or parked on any lot or parcel in a residential zone. Notwithstanding the foregoing provisions, the tractor portion of a semitruck may be parked or stored on a lot in a residential zone occupied by the driver, provided the vehicle is parked or stored entirely within the boundaries of such lot and does not obstruct the public sidewalk. (2001 Code §89-6-116; amd. 2009 Code)



REQUEST FOR COUNCIL ACTION

Action: Provide information to Council

Meeting Date Requested : 03/20/2024

Presenter: Tayler R Jensen

Deadline of item :

Applicant:

Department Sponsor: Community Development

Agenda Type: DISCUSSION TOPICS

Presentation Time: 10 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

5600 West Old Bingham Highway – Station Area Plan Kickoff

2. EXECUTIVE SUMMARY

Staff is working with selected consultants on a station area plan for 5600 West Old Bingham Highway. We are entering the project without the presumption that current future land uses are correct for 30 years in the future.

We are seeking input from the Council on:

- 1) How the Council would like to be involved or participate in planning efforts.
- 2) What the Council's vision for the station area is
- 3) What a successful planning process is

3. TIME SENSITIVITY / URGENCY

We anticipate a 6-month project timeline

4. FISCAL NOTE

n/a

5. PLANNING COMMISSION RECOMMENDATION

N/A

6. STAFF ANALYSIS

7. MOTION RECOMMENDED

8. MAYOR RECOMMENDATION

9. PACKET ATTACHMENT(S)

10. OTHER INFORMATION

Committee of the Whole Meeting

Council Staff Review



Item Name: Station Area Plan Kickoff – 5600 West Old Bingham Highway

Department: Community Development

Action Needed: Discussion item; input requested from council

EXECUTIVE SUMMARY

Having worked with consultants on the station area plan for 5600 West Old Bingham Highway, administrative staff is seeking input from the council on the following:

1. How the council would like to be involved or participate in planning efforts
2. What the council's vision for the station area is
3. What a successful planning process looks like

BACKGROUND AND TIMELINE

This specific SAP has not been discussed with the city council prior, nor has it been presented before the planning commission.

Planning staff anticipates a 6-month project timeline.

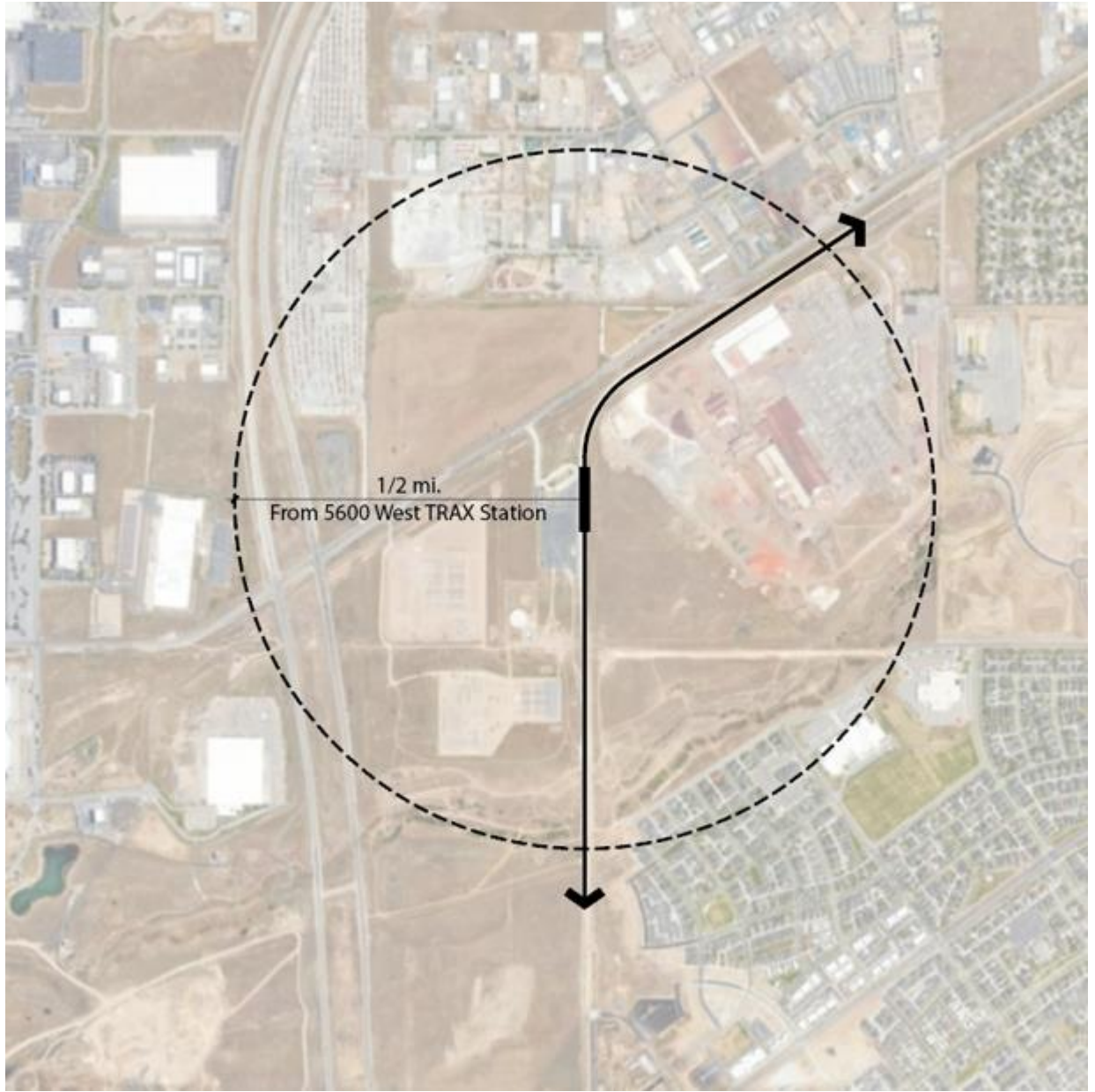
COUNCIL OFFICE ANALYSIS

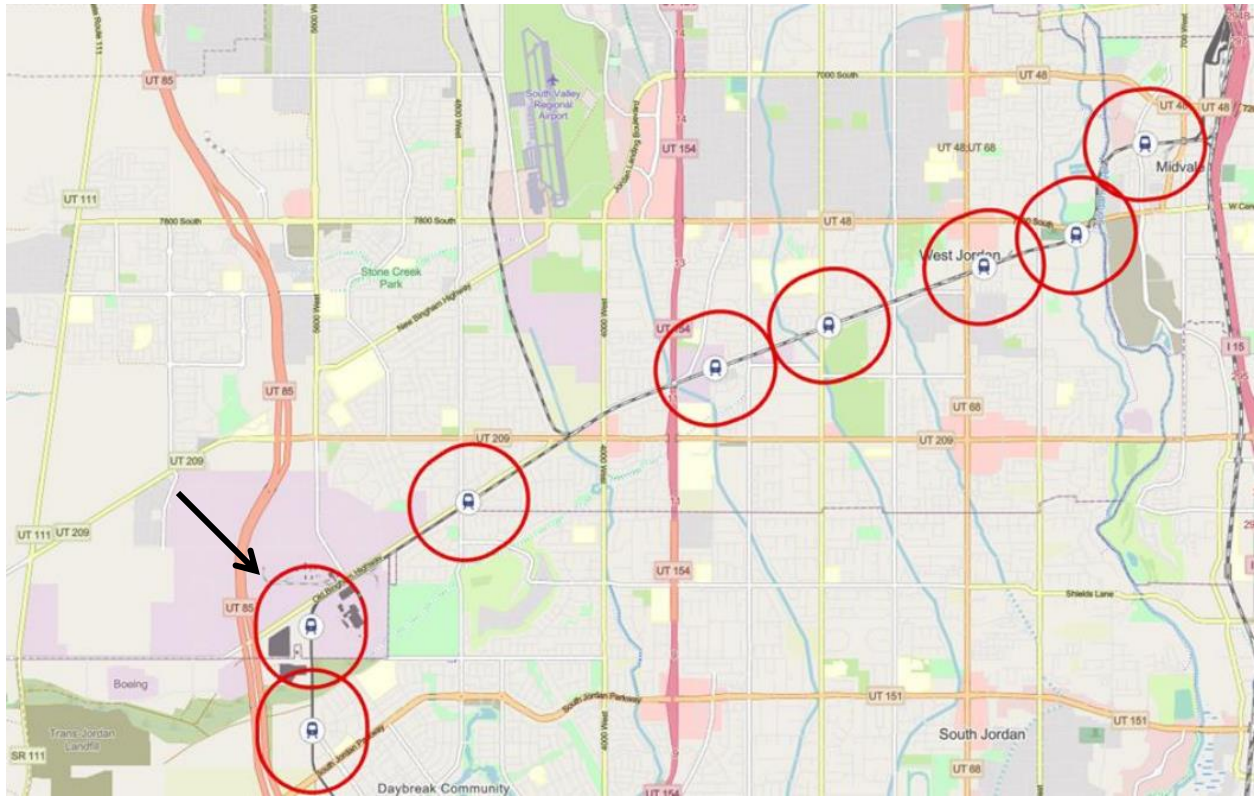
The 5600 West Old Bingham Highway Station Area Plan is not associated with or part of the Three Station Area Plans ordinance, which was passed in the city council meeting on January 24, 2024.

- Station Area Plans approved on 1/24/24: Bingham Junction, Historic Gardner, and West Jordan City Center.

TRADEOFFS & ALTERNATIVES

N/A







REQUEST FOR COUNCIL ACTION

Action: Request feedback from Council

Meeting Date Requested : 03/20/2024

Presenter: Brian Clegg, Public Works Director

Deadline of item :

Applicant:

Department Sponsor: Public Works Admin

Agenda Type: DISCUSSION TOPICS

Presentation Time: 5 minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Discussion regarding possible amendments to West Jordan City Code Section 8-5-2 regarding the costs of sidewalk, curb, and gutter maintenance, repair, and replacement in the city.

2. EXECUTIVE SUMMARY

The Council is being asked to revise West Jordan Code Section 8-5-2. The purpose of the proposed revision is to shift the material and labor costs for sidewalk maintenance, repair, and replacement to the City (excluding circumstances in which the sidewalk condition is the result of misuse or abuse of the abutting property and/or sidewalk by the abutting property owner). The proposed revision also removes a provision concerning maintenance of sidewalk, curbs, and gutters in state highway right-of-ways which is inconsistent with state statute and regulations. If approved, the proposed revision would provide the Public Works Department greater flexibility in addressing potentially hazardous sidewalks which pose a risk of liability to the City without having to pursue the abutting property owner for the costs.

3. TIME SENSITIVITY / URGENCY

N/A

4. FISCAL NOTE

Additional costs of sidewalk maintenance, repairs, and replacement will be funded from the safe sidewalk fund currently in place. Additional funding may come from Class C Roads miscellaneous curb, gutter, sidewalk account. Public Works will plan for costs accordingly with each annual budget.

5. PLANNING COMMISSION RECOMMENDATION

N/A (discussion only)

6. STAFF ANALYSIS

Under the current code, before conducting maintenance, repairs, or replacement of sidewalks, staff is required to: (1) prepare an estimate for the cost of the maintenance, repair, or replacement work; (2) make contact with the abutting property owner; (3) get the abutting property owner to pay the estimate. Staff has had substantial difficulty to successfully getting abutting property owners to pay any costs associated with the maintenance, repair, or replacement of potentially hazardous sidewalk and can be met with hostility. These efforts have been a significant drain on staff time and interfere with staff's ability to quickly address potential liability risks.

7. MOTION RECOMMENDED

N/A (discussion only)

8. MAYOR RECOMMENDATION

N/A (discussion only)

9. PACKET ATTACHMENT(S)

Ordinance No. 24-15

10. OTHER INFORMATION

Utah Code 72-3-109

Utah Admin. Code R918-6-4

Committee of the Whole Meeting

Council Staff Review



Item Name: Ordinance 24-15 – Sidewalks, Curbs, and Gutters

Department: Public Works

Action Needed: Discussion item; input requested from council

EXECUTIVE SUMMARY

Citing difficulties under the current code, council is requested to revise West Jordan Code Section 8-5-2, as it relates to the maintenance, repair, and replacement of sidewalks, curbs, and gutters.

The revised ordinance would provide public works staff more flexibility as it seeks to address sidewalks, curbs, and gutters that pose potential risks of hazard and city liability.

BACKGROUND AND TIMELINE

This item has not been discussed in recent history with the city council, and there is no stated urgency or timeline from staff.

COUNCIL OFFICE ANALYSIS

As mentioned within the staff report, approving this ordinance would create a fiscal impact. Staff have indicated that there are existing funds available for them to use in the immediate future, and that they will further budget accordingly moving forward.

A summary of the proposed changes is found below:

- Lines 7-12: revised for more accurate definition.
- Lines 15-19: removing the property owner as financially responsible for labor and material costs.
- Lines 20-23: removing the city as obligated for repair, replacement and/or maintenances within public right-of-way of a state highway.
- Lines 24-30: revised as to clarify that the city does not admit to defective or unsafe conditions as a result of repairs, replacements, or maintenance.

TRADEOFFS & ALTERNATIVES

With no revisions to the ordinance, staff would continue to subject themselves to difficulties in working with property owners for repairs and maintenance and associated cost recovery.

1 8-5-2: MAINTENANCE OF SIDEWALKS:

2 A. Repair Required: Except for those curbs, gutters and sidewalks covered by a current
3 improvement guarantee and except as provided in subsection B of this section, the city
4 administrator will cause defective curbs, gutters and sidewalks which expose the city to
5 liability for personal injuries to be repaired as soon as possible, subject to availability of
6 funds budgeted for that purpose.

7 B. Costs: The city will pay the materials and labor costs for the maintenance, repair, or
8 replacement of sidewalks, curbs, and gutters sections. The city will pay the labor costs for
9 the repair or replacement of defective sidewalks; the adjacent property owner will be
10 responsible for the payment of the materials and labor costs to repair or replace defective
11 sidewalks, curbs, and gutters where the defect was the result of abuse or improper use by
12 the adjacent property owner or its guests and invitees. Notwithstanding the provisions of
13 this subsection, the adjacent property owner will be responsible for all materials and labor
14 costs for the repair or replacement of defective concrete within the property owner's
15 driveway (whether such be sidewalk, curb, gutter or drive approach) and park strip. The
16 adjacent property owner will be responsible for the complete labor and materials costs for
17 the repair or replacement of defective sidewalk where the defective condition was caused
18 by the abuse or improper use of the sidewalk by the adjacent property owner, his guests,
19 licensees or invitees.

20 ~~C. State Highway: Nothing in this section shall obligate the city for the repair,~~
21 ~~replacement and/or maintenance of curb, gutter and/or sidewalk located within the public~~
22 ~~right-of-way of a state highway; such repair, replacement and/or maintenance is the sole~~
23 ~~responsibility of the state department of transportation.~~

24 ~~DC. Nonliability of City: Nothing in this section~~ Any maintenance, repair, or replacement
25 of potentially defective sidewalks, curbs, or gutters shall not be construed as an admission
26 by the city that any of its sidewalks, curbs, or gutters or sidewalks, or any other public
27 improvement within the public right-of-way, is in a defective or unsafe condition. Any
28 repairs to any curb, gutter and/or sidewalk or other improvement within the public right-
29 of-way shall not be deemed to be an admission that such improvement was defective or in
30 an unsafe condition prior to the repair. (2001 Code § 74-1-102; amd. Ord. 19-48, 12-11-
31 2019, Effective at 12 noon on January 6, 2020)

1 8-5-2: MAINTENANCE OF SIDEWALKS:

2 A. Repair Required: Except for those curbs, gutters and sidewalks covered by a current
3 improvement guarantee and except as provided in subsection B of this section, the city
4 administrator will cause defective curbs, gutters and sidewalks which expose the city to
5 liability for personal injuries to be repaired as soon as possible, subject to availability of
6 funds budgeted for that purpose.

7 B. Costs: The city will pay the material and labor costs for the maintenance, repair, or
8 replacement of sidewalks, curbs, and gutters. The adjacent property owner will be
9 responsible for the payment of the material and labor costs to repair or replace defective
10 sidewalks, curbs, and gutters where the defect was the result of abuse or improper use by
11 the adjacent property owner or its guests and invitees. Notwithstanding the provisions of
12 this subsection, the adjacent property owner will be responsible for all material and labor
13 costs for the repair or replacement of defective concrete within the property owner's
14 driveway approach.

15 C. Nonliability of City: Any maintenance, repair, or replacement of potentially defective
16 sidewalks, curbs, or gutters shall not be construed as an admission by the city that any of
17 its sidewalks, curbs, or gutters, or any other public improvement within the public right-of-
18 way, is in a defective or unsafe condition. (2001 Code § 74-1-102; amd. Ord. 19-48, 12-11-
19 2019, Effective at 12 noon on January 6, 2020)

Effective 5/8/2018

72-3-109 Division of responsibility with respect to state highways in cities and towns.

- (1) Except as provided in Subsection (3), the jurisdiction and responsibility of the department and the municipalities for state highways within municipalities is as follows:
- (a) The department has jurisdiction over and is responsible for the construction and maintenance of:
 - (i) the portion of the state highway located between the back of the curb on either side of the state highway; or
 - (ii) if there is no curb, the traveled way, its contiguous shoulders, and appurtenances.
 - (b) The department may widen or improve state highways within municipalities.
 - (c)
 - (i) A municipality has jurisdiction over all other portions of the right-of-way and is responsible for construction and maintenance of the right-of-way.
 - (ii) If a municipality grants permission for the installation of any pole, pipeline, conduit, sewer, ditch, culvert, billboard, advertising sign, or any other structure or object of any kind or character within the portion of the right-of-way under its jurisdiction:
 - (A) the permission shall contain the condition that any installation will be removed from the right-of-way at the request of the municipality; and
 - (B) the municipality shall cause any installation to be removed at the request of the department when the department finds the removal necessary:
 - (I) to eliminate a hazard to traffic safety;
 - (II) for the construction and maintenance of the state highway; or
 - (III) to meet the requirements of federal regulations.
 - (iii) Except as provided in Subsection (1)(h), a municipality may not install or grant permission for the installation of any pole, pipeline, conduit, sewer, ditch, culvert, billboard, advertising sign, or any other structure or object of any kind or character within the portion of the state highway right-of-way under its jurisdiction without the prior written approval of the department.
 - (iv) The department may, by written agreement with a municipality, waive the requirement of its approval under Subsection (1)(c)(iii) for certain types and categories of installations.
 - (d) If it is necessary that a utility, as defined in Section 72-6-116, be relocated, reimbursement shall be made for the relocation as provided for in Section 72-6-116.
 - (e)
 - (i) The department shall construct curbs, gutters, and sidewalks on the state highways if necessary for the proper control of traffic, driveway entrances, or drainage.
 - (ii) If a state highway is widened or altered and existing curbs, gutters, or sidewalks are removed, the department shall replace the curbs, gutters, or sidewalks.
 - (f) The department may furnish and install street lighting systems for state highways, but their operation and maintenance is the responsibility of the municipality.
 - (g) If new storm sewer facilities are necessary in the construction and maintenance of the state highways, the cost of the storm sewer facilities shall be borne by the state and the municipality in a proportion mutually agreed upon between the department and the municipality.
 - (h)
 - (i) For a portion of a state highway right-of-way for which a municipality has jurisdiction, and upon request of the municipality, the department shall grant permission for the municipality to issue permits within the state highway right-of-way, provided that:

- (A) the municipality gives the department seven calendar days to review and provide comments on the permit; and
 - (B) upon the request of the department, the municipality incorporates changes to the permit as jointly agreed upon by the municipality and the department.
 - (ii) If the department fails to provide a response as described in Subsection (1)(h)(i) within seven calendar days, the municipality may issue the permit.
- (2)
- (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules governing the location and construction of approach roads and driveways entering the state highway. The rules shall:
 - (i) include criteria for the design, location, and spacing of approach roads and driveways based on the functional classification of the adjacent highway, including the urban or rural nature of the area;
 - (ii) be consistent with the "Manual on Uniform Traffic Control Devices" and the model access management policy or ordinance developed by the department under Subsection 72-2-117(8);
 - (iii) include procedures for:
 - (A) the application and review of a permit for approach roads and driveways including review of related site plans that have been recommended according to local ordinances; and
 - (B) approving, modifying, denying, or appealing the modification or denial of a permit for approach roads and driveways within 45 days of receipt of the application; and
 - (iv) require written justifications for modifying or denying a permit.
 - (b) The department may delegate the administration of the rules to the highway authorities of a municipality.
 - (c) In accordance with this section and Section 72-7-104, an approach road or driveway may not be constructed on a state highway without a permit issued under this section.
- (3) The department has jurisdiction and control over the entire right-of-way of interstate highways within municipalities and is responsible for the construction, maintenance, and regulation of the interstate highways within municipalities.

Amended by Chapter 403, 2018 General Session

2
3 **ORDINANCE NO. 24-15**

4
5 **AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE**
6 **(Maintenance of Sidewalks; West Jordan Code § 8-5-2)**
7

8 WHEREAS, the City of West Jordan (“**City**”) adopted West Jordan City Code (“**City Code**”) in
9 2009; and

10 WHEREAS, the City Council of the City (“**Council**” or “**City Council**”) desires to amend a certain
11 section of the City Code, regarding and related to sidewalk maintenance obligations (“**proposed City**
12 **Code amendments**”); and

13 WHEREAS, the City Council held a public meeting on _____ 2024 regarding the
14 proposed City Code amendments; and

15 WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and
16 welfare of the residents of the City to adopt the following proposed City Code amendments.

17 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN,
18 UTAH AS FOLLOWS:

19 **Section 1. Amendment of Code Provisions.** City Code Section 8-5-2 is amended to read as
20 shown on Attachment 1 to this Ordinance.
21

22 **Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court
23 of competent jurisdiction, the remainder shall not be affected thereby.

24 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting
25 or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council
26 duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the
27 Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.
28

29 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS _____ DAY OF
30 _____ 2024.
31

32 CITY OF WEST JORDAN

33
34 By: _____
35 Zach Jacob
36 Council Chair

37 ATTEST:

38
39 _____
40 Cindy M. Quick, MMC
41 Council Office Clerk
42

95

CERTIFICATE OF PUBLICATION

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the _____ day of _____ 2024. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan, CMC
City Recorder

(Attachment on the following page)

121
122
123
124
125
126
127

Attachment 1

[Attachment to ORDINANCE NO. 24-15

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(Maintenance of Sidewalks; West Jordan Code § 8-5-2)]**